IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 12TH APRIL 2007 / 22ND CHAITHRA 1929

Bail Appl..No. 2236 of 2007()

C.P.184/06 OF J.F.M.C., ADOOR

(CRIME NO.425/06 OF PANDALAM POLICE STATION)

PETITIONER/3RD ACCUSED

VIDHYADHARAN, EDAVATHOTTATHIL HOUSE,
KADAKKADU MURI, KOORAMPALA VILLAGE,
PATHANAMTHITTA DISTRICT.

BY ADV. SRI.D.KISHORE

RESPONDENTS: STATE AND COMPLAINANT:

---

1. STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

2. THE SUB INSPECTOR OF POLICE,
PANDALAM POLICE STATION.

BY PUBLIC PROSECUTOR SRI. K.S. SIVAKUMAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 12/04/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 2236 OF 2007

Dated this the 12th day of April, 2007

O R D E R

Petitioner, who is the 3rd accused in Crime No.425/06 of Pandalam Police Station for offences punishable under sections 324 and 308 read with section 34 IPC, seeks anticipatory bail.

2. Consequent on the non-appearance of the petitioner in C.P.No.184/06 on the file of JFCM, Adoor, in all probability non-bailable warrants of arrest should have been issued against the petitioner. Admittedly, the petitioner has not appeared before the Magistrate on the date on which he was summoned to appear.

3. Anticipatory bail cannot be granted to nullify the process issued by a court of competent jurisdiction. There is no reason why the petitioner should not surrender before the committal court and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate concerned and files an application for regular bail, within two weeks from today, the same shall be considered and disposed of, preferably on the same date on which it is filed, after examining the explanation offered by the petitioner for his previous non-appearance.

This application is disposed of as above.

(V. RAMKUMAR, JUDGE)

aks